THE EXAMINER.

No. 157. SUNDAY, DEC. 30, 1810.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 153.

BRIEF RETROSPECT OF THE YEAR.

In looking back to the events of the past twelve-month, the observer finds less to notice, in point of number, than at the close of preceding years: and in finding less to notice, he finds less to lament. BONAPARTE, in being absolute master of the whole Continent except Spain, Portugal, and Sicily, partly by direct possession and partly by undisputed superiority, has shut up one great and disastrous theatre of war; and the field of Pittite enterprise and misfortune has had time for it's deluge of blood to subside. In Spain and Portugal the revolution has not been complete enough to effect their freedom; and when we see with what difficulty, even at this last moment, their few thinking men can obtain any reasonable point, the hope of their eventual success entirely vanishes. It seems as if Fate continued the struggle merely to punish those countries for their long and slavish indolence, to afford a dreadful lesson on the subject to other nations, and to give the last blow to the more formidable usurpations of superstition. The two events on the Continent most interesting to the future historian in contemplating the year 1810, are the abolition of monkish institutions, and the final destruction of that Pandæmonium on earth, the Inquisition.

Since the hopeless appearance of the Spanish struggle, interest has indeed turned it's eyes almost entirely from the Continent, and looked towards the west, with England in the foreground, and the rising light of the New World struggling upwards in the distance. Shut out in great measure from the Continent, we might, if we pleased, turn the obnoxious prohibition to our advantage, and renew at our leisure those mightier powers, which our enemy fears more than all the ships on the ocean, that is to say, we might reinvigorate our internal strength; restore the youth of our Constitution; and make an ardent friend instead of an unwilling slave, of Ireland. But the long league between the money-getters and the courtiers is not to be interrupted by the national misfortunes that make them rich and powerful; and in proportion as the King has been growing infirmer both in body and mind, the influence of his despicable advisers has gathered a monstrous strength. The parliamentary history of the past year shews corruption in its wantonness! The persons, calling themselves the King's servants, and representatives of the people, have become masters of their master, and defiers of the constitution. Though they had already bartered and trucked the national representation, and been convicted of the most odious hypocrisy and grasping, not all the tears, the wounds, and the bitter indignation of the country, could suffice to bring them to punishment for the Walcheren expedition—an expedition that wants no epithet to render it infamous. From this subject the public attention was drawn only to witness a new violation of the constitution in the imprisonment of a Member of Parliament for denying an executive power in the House of Commons; and hardly has the ferment of that measure subsided, when the Ministers usurp an interregnum caused by the relapse of his Majesty into insanity, and the people of England discover, not only that for a long time past they have been governed by the servants of a Monarch without eye-sight, but that this unhappy Sovereign has been more or less subject to indications of insanity, and at one time was absolutely suffering under it, without the knowledge of his subjects. These abuses of power in a courtly faction, who are only strong in the weakness of their master, in the unpopularity of their rivals, and in the astonishing sufferance of the people, are unequivocal marks of the decline of British freedom. Unfortunately, such are the habits of human nature, bending to what happens, and inclined to suffer positive evil rather than hazard a change for probable good, that with the decline of a nation's freedom declines it's wish to be free.—Of late years, public principle seems to have taken a decided turn for the worse, having become a systematic and brow-beating selfishness on the part of the Governors, and a hopeless and shifting submission on that of the governed. The time for expedients is gone by; and no remedy remains but the force of good example; but who will attend to it in the few? and where are the many who will set it? The finest opportunity for bringing back the frankness and freedom of the old English character, and recommending it to the country at large, will be obtained by the Successor of his present MAJESTY; but after all the disappointments that the lovers of their country have experienced from all sorts of men, one can only say on this subject—God grant that it may be so!

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FOREIGN INTELLIGENCE.

PORTUGAL.

LISBON, DEC. 3.—Extract of an Official Communication from Marshal-General Wellington to his Excellency Miguel Pereira Forjaz, dated Cartaxo, December 1:—

"The corps of the enemy's troops, the advanced guard of which engaged with the troops commanded by Gen. Silveira, on the 4th of last month, moved to the left, and made its appearance on the 10th in the Sobergal, on the Coa, where it marched in the direction of Belmonte and Fundão, and taking the two roads which lead to the Zezere, through Lower Beira,

reached Cardigan on the 25th of the same month. The militia of Lower Beira continually hung on the rear of the enemy, and caused him a considerable loss. The said detachment of the enemy's troops consists of those which left Portugal with Gen. Foix, who went to Paris; and of those belonging to the three corps of the Army of Portugal, which were left at Salamanca, Ciudad Rodrigo, and Almeida, to garrison the said places; of three or four battalions, detached from the 8th corps by order of the Emperor, under the command of Gen. Serras, for the purpose of manœuvring on the frontiers, and of the convalescents of the Army of Portugal; composing, in the whole, a force of about 2400 men. It is difficult to ascertain the exact number of the said reinforcements, but in my estimation it does not exceed 8000 men. The troops who compose the 9th corps form the garrison of those places in Castile, whence the troops were withdrawn, who lately entered Portugal. The enemy continues to maintain himself in Santarem, the strength of which position has been considerably increased; he has also fortified a post in Punheta, on the left bank of the river Zezere, and another in the environs of Perner and Oleantrede, on the right of the position of Santarem, and watches with the most careful attention all our movements in that direction. The weather has been constantly very bad ever since the middle of November; the cross-roads are altogether impassable for artillery, and very difficult for the passage of infantry, while, at the same time, the waters are out, and the low grounds overflowed. All the accounts which I receive from Castille unanimously assure me, that the Spanish flying parties continue to act with the utmost activity, and that their operations against the enemy have of late proved very successful.—I have the honour to remain, with consideration and respect, "WELLINGTON."

SPAIN.

DECREE.—The General and Extraordinary Cortes, penetrated with the most lively and sincere gratitude towards the King of the United Kingdom of Great Britain and Ireland, George III., for the generous interest which he has displayed, and for the abundant aids which he has uninterruptedly afforded to the Spanish nation, by granting it arms, money, troops, and ships, from the first moment when the Provinces raised the voice of independence, and of fidelity to their lawful Sovereign Ferdinand VII. vilely betrayed, trampled upon and oppressed by the usurper of the throne of France, Napoleon Bonaparté; decree, that a public Monument shall be erected to George III., in testimony of the national gratitude which the Spanish nation feels for a Sovereign so august and generous, as well as for the invincible English Nation, who have taken so great an interest in the glorious defence of the Spanish nation. The Cortes declare, at the same time, that the Spanish nation will not lay down their arms till they have secured their independence, the absolute integrity of the monarchy in both hemispheres, without the smallest dismemberment, and restored to their King Ferdinand VII. always acting in accordance, and with the most perfect union, with the King of Great Britain, in conformity to the strict amity and perfect and indissoluble alliance stipulated in the treaty of the 14th January 1809. The Council of Regency will cause this decree to be communicated to the King of Great Britain, in the most solemn manner; and will, at the same time, give an account to the Cortes of the plan which it shall adopt for erecting a public Monument with the execution of which it is entrusted.

The Council of Regency shall be made acquainted with this decree, to take the necessary means for its accomplishment, and that it be printed, published, and circulated.

LUIS DEL MONTE, President.

Royal Isle of Leon, Nov. 19.

IRELAND.

JOHN BLACHFORD, ESQ. PLAINTIFF; W. D. LATOUCHE, ESQ. DEFENDANT.

In this action, the defendant having suffered judgment to go by default, it remained for the High Sheriff of the county of Wicklow to assess damages, which he did at Newton Mount Kennedy, on Monday se'nnight.

The Rev. Michael Sandys proved that the conduct of the plaintiff towards his wife had been invariably indulgent and affectionate—that his habits were truly domestic; that Mrs. Blachford was also attentive to her domestic duties, and paid great attention to the education of her child, for which she was well qualified, being a woman of very high endowments. The infidelity of his wife had caused the plaintiff great distress of mind, and he had remained in a very dejected state ever since.

Mr. Charles Hamilton stated, that the plaintiff and the child went into his house immediately after the discovery—that the plaintiff was in a state of great dejection—that he still supported his wife, and that he continues to regret her loss, as a person that was necessary to his happiness. He thinks that Mrs. Blachford had not much affection for her husband; but believes she must have had a high respect for him. Mrs. Blachford is about 35 years of age.

Mr. Henry Tighe is brother-in-law to the plaintiff. Plaintiff was greatly attached to his wife, and indulged her taste for rational amusements, or for retirement, as she pleased to prefer the one or the other.

Mr. CROFTON addressed the Jury at some length, on behalf of the defendant, who from his youth and inexperience he represented as an object for whom great allowance ought to be made, he being a minor until the month of August last; Mr. Peter Digges Latouche had been his guardian. His fortune he stated at about six thousand pounds.

The Jury retired for half an hour, and returned with a verdict—Damages 2000*l.*

PROVINCIAL INTELLIGENCE.

CAMBRIDGE.—The *Hulsean Prize* for this year has been adjudged to William Jowett, Esq. B. A. of St. John's College, for his Essays on the following subject:—"The remarkable propensity of the Jews to Idolatry before the Babylonish Captivity, compared with their Exemption from it in general afterwards, affords the Unbeliever no just ground for rejecting the Scriptural Account of the Miracles in the time of Moses and Joshua."

HAUNTED HOUSE.—The inhabitants of Northwood Green, near Wem, in this county, are in the utmost consternation, in consequence of some extraordinary disturbances in a house near the turnpike-gate. Brick-bats, stones, and lumps of coal, are reported to have dropped through the ceilings, where not a crevice is visible; while similar materials rise from the cellar floor, or are trundled up stairs by some invisible hand!!!—This ghost, it appears, began its freaks on Wednesday se'ennight, while the owner of the house was gone to the opposite habitation of his mother-in law, then dead; and two mantua-makers, who were preparing mourning, were so much alarmed, that one of them fainted. Some few stones have also fallen in the house where the corpse lay. On Saturday and Sunday, upwards of 50 persons assembled to witness this extraordinary scene! but as we have not heard of any broken heads, we presume they gazed at a respectful distance. However, when some person possessed of sufficient strength of nerves, or hardihood of skull, shall have ventured to pry into this haunted dwelling, we trust he will furnish us with a development of the mystery.—Since writing the above, we have received a letter from a friend in the neighbourhood, in which he observes, "The story is universally laughed at by all intelligent persons here, who think it a trick played by some wag, to amuse himself and disturb the old women, and men who are but one remove from old women. I rather think it a vile trick, played by some person about the house to answer some sinister end; one end, however, it has answered, namely, to fill the landlord's pockets, and to empty those of his wise customers."—*Shrewsbury Chronicle.*

At Dover, serious apprehensions are entertained, that much more of the Cliff will fall.—About nine on Monday morning, another fall took place close to where the last fell, over Snargate street. But the last fall has fortunately done but little

damage, as it consisted principally of loose earth from the top. The Cliff has absorbed so much wet, that scarcely a day passes without a fall. There have been seven between Dover and Folkestone: one covered seven acres of ground. Parts of the Low Cliffs have also given way, and fallen into the sea between Folkestone and Sandgate.

We understand that Mr. Mallinson, the celebrated Bath Comedian, has withdrawn his services in consequence of some disputes with Mr. Dimond, the Manager—and that seat of fashion and elegance has now to lament the loss of the two greatest favourites (Lovegrove and Mallinson) that ever trod the boards of the Bath theatre.—*Bristol Paper.*

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Thursday, Dec. 27.

THE KING'S ILLNESS.—STATE OF THE NATION.

Lord CARLISLE made some observations on the great delay which had taken place in settling the affairs of the nation at this awful crisis: he thought the Physicians should be re-examined, as their Bulletins and their evidence were so much at variance, and there was an evident system of delusion. He should not however, make any motion.

The Earl of LIVERPOOL said, that Ministers would be ready at any time to justify their conduct in every particular.

The Resolutions agreed to by the Commons having been read,

The Earl of LIVERPOOL addressed the House. There was however nothing new in his Lordship's speech: he took exactly the same grounds which Mr. Perceval had done, when he proposed the Resolutions in the House of Commons—arguing that the precedent of 1788, respecting the Regency, was the only proper course to follow on the present occasion. An Address, he said, could confer no legal powers, and therefore a Bill was the only expedient measure; and he called upon their Lordships to give their sanction to the proposed Resolutions.

Lord STANHOPE differed from the Noble Earl, and particularly respecting the application of the Great Seal.—He should put a case:—Suppose a thief were to take away the Great Seal: suppose the Noble Secretary himself were to take it away: (I beg pardon for the supposition.) Suppose him also to affix it to an instrument creating himself *Duke of Flushing*, and to an act granting himself a pension to any amount—might he not likewise put it to a Bill of Indemnity, in order to avoid the consequences of such doings? What authority would the Great Seal carry with it, if thus used? He should therefore propose as an Amendment to the Resolution, after the word "require," the following words:—"and until the Lords Spiritual and Temporal, and Commons, shall have before them satisfactory proof, that his Majesty is so far recovered as to be perfectly able to discharge all the functions of the regal authority."

This Amendment was rejected without a division, and the second Resolution was carried. On the third being read,

Lord HOLLAND contended, that none but a full Parliament could fetter the Regency with restrictions. The Resolutions said, the two Houses have the right to supply the defect in the Executive; but though they have that power, they cannot exercise it without the aid of the Great Seal. This was most curious logic! It was as much as to say, I have two legs, and am fully able to walk; therefore I must have a crutch! If the two Houses have the power, why not use it; why have recourse to some other thing to enable them to act? Of all modes of proceeding, that by Bill was the most unconstitutional. The Noble Secretary and his Colleagues had in open day usurped the Monarchy of Great Britain, and they keep the regal power out of the hands of him whom the universal wish of the country called upon to exercise it. His Lordship then alluded to our relations with America, Sweden, and the Spanish Colonies; and concluded by moving the following Amendment:—"That his Royal Highness the Prince of Wales, being of mature age, be requested to take upon himself the exercise of the powers and authorities of the Crown, in the name and on the behalf of the King, during the continuance of his Majesty's indisposition, and no longer.—That an Address, founded on this Resolution, be presented to his Royal Highness, requesting him to take upon himself the government aforesaid, and that it be at the same time communicated to his Royal Highness, that it is further the opinion of this Committee, that it will be expedient to abstain from the exercise of all such powers as the immediate exigencies of the State shall not call into action, until Parliament shall have passed a Bill for the future care of his Majesty's Royal Person during his Majesty's present indisposition, and the securing to his Majesty, whenever it shall please Divine Providence to restore his health, the resumption of his Royal Authority."

The Duke of NORFOLK argued that the Great Seal could not be legally applied in the present case. Its virtues did not consist in the metal or the wax, but in its legal application.—He should vote for the Address.

The Duke of SUSSEX asked what right Ministers had to talk of the King's approval of their acts, when it was notorious that his Majesty neither had communication with them nor with his own family? The act of Ministers, in thus usurping the kingly power, was *a kind of political regicide!* If the Constitution was to be defended, they must defend the Throne. For his own part, he had a serious duty to perform to his father and the country. If a Regent were to be chosen, he must be made an effective Magistrate, capable of performthe duties of Royalty: he must not be the mere mummery and mockery of Royalty.—With the utmost sincerity, he could quote the expression of Lord Thurlow—"When I forget my King, may God forget me." But feeling as he did, he could also add with equal sincerity—"May God forget me, when I forget the Constitution which raised my family to the Throne!"

Lord MULGRAVE said, that the two Houses might well presume it to be his Majesty's wish that the Royal Authority should not be set aside during his present malady. All the precedents in our history proved, that when it was necessary to delegate the Kingly power, it was proper that the appointment should be made by Royal Authority. The only just, constitutional, and loyal course, therefore was by Bill.

The Duke of YORK, by every feeling of duty and attachment to his beloved Father, of solicitude for the rights of the Crown, and of regard to the Constitution, was compelled to deprecate the adoption of a course which appeared to him so highly detrimental to all these valuable interests. He denied the right of the two Estates to substitute a phantom in the place of the King, and to pass an Act for which, by the Constitution, the Royal sanction was essentially necessary. If the Prince of Wales was entrusted with the full exercise of the Kingly Authority, he would feel that it was consistent both with his honour and future interest so to conduct himself, as to be able to restore to his Father that authority free from all infringement or abuse.

Lord MOIRA contended that there was nothing more contrary to the practice of the Constitution, than that either or both Houses should take upon them to presume what were the sentiments of the King. Such a practice would tend to the destruction of the Monarchy: for the King, under such circumstances as the present, would be the obedient instrument of any set of men who happened to get majorities. This would be converting the Government into the very worst species of oligarchy. This was not a proper time to impose restrictions upon the Regent. Such limitations would hold the Prince out to the people as a man not to be trusted. He called upon their Lordships not to lend themselves to a course which would have the effect of overturning the Constitution of the Monarchy,—the bulwark of their liberties,—and which would not only prove destructive to their fellow subjects, but entail unforeseen calamities on their posterity.

The Earl of BUCKINGHAMSHIRE, in consequence of the absence of a Noble Friend (Lord SIDMOUTH), was authorized to declare that Noble Lord's acquiescence in the proposed Resolutions. He also meant to support them, as the most consis-

tutional guide for the conduct of the House. Ministers had only done what the necessity of the case required.

The Marquis of LANSDOWNE trusted that the day would soon come when that House should not only provide for the legal custody of his Majesty's person, but also take a retrospect of the manner in which the duties of that important trust had hitherto been performed, (*Hear, hear!*) He confidently hoped that day would soon arrive; and he was the more anxious, because certain rumours were afloat, which represented that within a few days the power committed to those who had the custody of his Majesty had been most wantonly and unwarrantably abused, so as to even endanger the life of the Royal Patient! (*Hear, hear!*). He stated this only from rumour; but it ought to be cleared up. The Great Seal, he said, had been always considered as the symbol of Royalty, to be used by the King alone, and never to be within reach of the two Houses. This was the constitutional principle, and should be the guide of their Lordships. He should therefore vote for the Address.

Lord GRENVILLE expressed his astonishment at the silence which some of the most responsible men in the Committee held on this important occasion. He should, however, express his opinion, and though he approved of the present measure of the Ministers, yet he did not mean to defend their conduct, as by their ill-founded delays they had attempted to induce the House to desert both their Sovereign and the country. Supporting them, as he did, in this motion, he still must condemn, with all his strength, the accumulated criminality of Ministers; he must exclaim against the assumption of those arrogant men, who first, since the days of Cromwell, had the audacity, without the authority of Parliament, to usurp the Royal Powers. In regard to the immediate subject, he confessed that he retained his former opinion that the proceeding by Bill was preferable to that of Address,—an opinion formed upon his most mature view of the Constitution. Whether the Regent was appointed by Bill or by Address, there must be a degree of legal fiction. In fact, in every law proceeding, there was some legal fiction.—The present weak Ministers had not only usurped the care of the King's person, against the feelings of the Royal Family, but they have made themselves complete masters of the Royal Power, and used it at their pleasure. In regard to Portugal, they have acted most illegally, for they have sent out orders to the army, at a time when they well knew that his Majesty was not able to perform his legal functions. These illegal acts they had not confined to military matters. In respect to the distilleries, they have acted in a manner, which even the King, in full health and vigour, would not have dared to have thought of! This proceeding has placed Parliament in this predicament; either that they have no judgment of their own, or else they must agree to every thing which these arrogant and assuming men had taken upon them to do. If such conduct was admitted, their Lordships must at once see, that there was a complete end to the independence of Parliament.

The LORD CHANCELLOR approved of the proceeding by Bill. He said, that he and his colleagues had been termed "these men" and "these people:" he was one of these men and these people, and he felt himself fully justified in doing what he had done. Ministers were called "Usurpers, Kings." The Lord keep those who in such times had an appetite for such situations! The Seals had been entrusted to his care, and he could not resign them into any other hands but those of his Majesty, or some other person legally authorised to receive them.

Lord ERSKINE was proceeding to support the Amendment, when he was stopped by a bleeding at the nose.

Lord LAUDERDALE spoke on the same side; and Lord HOLLAND announced that the opinion of his absent Noble Friend (Earl Grey) was the same as his own.

The House divided—For the Amendment, 74—Against it, 100—Majority for Ministers, 26 only.—Adjourned.

Friday, Dec. 28.

Lord WALSINGHAM reported the Resolutions agreed to in the Committee on the State of the Nation.

The Earl of LIVERPOOL moved the Order of the Day for taking the Report into consideration, and then moved to agree to the first Resolution, which was put and agreed to.

On the second Resolution, Lord HOLLAND moved the previous question, which was negatived, and the Resolution agreed to.

On the third Resolution, Lord HOLLAND moved the same Amendment that he moved yesterday.

Lord ERSKINE would agree that it was the right and duty of the two Houses of Parliament, of the Estates of the Realm, to supply the defect unhappily caused by the calamity which had fallen upon the Sovereign. He admitted that the political capacity of the King remained entire, and that what they had now to do was to supply the means of exercising the King's Authority. Of the two modes proposed to effect this, namely, by Bill or Address, he considered the latter decidedly preferable, and the most proper course. In proceeding by Bill, they would assume the Royal Authority, whilst by proceeding by Address they would only confer it. If once the Great Seal was used by order of the two Houses, he feared the effect of the precedent. Bad men might at a future period make use of the precedent to destroy the Constitution, by clothing themselves under a similar fiction with the Royal Authority. By resorting to the mode of Address, all inconveniences and danger would be avoided. Having first addressed the Prince of Wales to take upon him the Administration of the Government, they might then tender to him for his assent a Bill declaratory of their intentions in constituting him Regent, and he putting the Great Seal to it, a constitutional regularity would be preserved, and all inconvenience and danger avoided. The question of restriction he would not argue, but was decidedly of opinion, that the Royal Authority ought to be maintained whole and entire.

The Earl of DARNLEY urged the absurdity of the fiction of using the Great Seal, in his Majesty's name, to supply the defect occasioned by his own unfortunate incapacity.

Lord KENYON contended that it was the duty of the two Houses to make such provisions in constituting a Regency, that on the recovery of his Majesty his authority might revert to him unimpaired.

After a short conversation the question was put, "That the Amendment of Lord Holland be inserted in the Motion," which was negatived, and the original Resolution agreed to.—The Resolutions were ordered to be communicated to the Commons at a conference.—Adjourned till Monday.

HOUSE OF COMMONS.

Friday, Dec. 28.

Mr. PERCEVAL stated, that there being no particular proposition at present before the House, and there being no reason to expect that the Resolutions from the House of Lords would be brought up to night, he should propose that the House do adjourn till Monday.

Mr. TIERNEY begged to know if the Resolutions to be proposed were similar to those which had been agreed to in the year 1788?

Mr. PERCEVAL said, the substance was exactly the same as he had already stated to the House, with an exception as to the limitations. He should propose that the limitations should be confined to the period of twelve months, and besides these, there should be regulations as to the custody and management of the King's Royal Person. In his view of the case, the limitations ought to be restricted to 12 months, regulating it, however, in this manner, that six weeks of this period must elapse during the Meeting of Parliament. The distinct and specific limitations to be proposed would not appear on the face of the Resolutions. It would only be mentioned in them, that the restrictions were to exist for a time to be limited, and

in the Bill itself would the precise nature and extent of the limitations appear, or be specified.

Mr. TIERNEY asked, were any exceptions to be introduced into the restriction alluded to by the Right Hon. Gentleman, as to the granting of Peerages and Pensions?

Mr. PERCEVAL said, he purposed introducing an exception as to Naval and Military Officers, whom it might be deemed expedient to reward for any signal service or achievement.

Mr. ADAM wished to know, if the regulations as to the King's Household were to be the same as those agreed to in 1788?

Mr. PERCEVAL answered, that they were the same, with the exception that they as well as all the other restrictions, were limitted to 12 months.—Adjourned till Monday.

PROTEST.

SIR,—The Prince of Wales having assembled the whole of the male branches of the Royal Family, and having communicated to us the plan intended to be proposed by his Majesty's Confidential Servants, to the Lords and Commons, for the establishment of a restricted Regency, should the continuance of his Majesty's ever-to-be-deplored illness render it necessary; we feel it a duty we owe to his Majesty, to our Country, and to Ourselves, to enter our solemn Protest against measures we consider as perfectly unconstitutional, as they are contrary to and subversive of the principles which seated our Family upon the Throne of this Realm.

(Signed) FREDERICK,
WILLIAM,
EDWARD,
ERNEST,
AUGUSTUS FREDERICK,
ADOLPHUS FREDERICK,
WILLIAM FREDERICK.

Wednesday Night, 12 o'clock, Dec. 19, 1810.

R. H. Spencer Perceval, &c. &c. &c.

(ANSWER.)

Mr. Perceval has the honour of acknowledging the receipt of a solemn Protest, in the name of all the male branches of the Royal Family, against the measures which his Majesty's confidential servants have thought it to be their duty to communicate to his Royal Highness the Prince of Wales, as intended to be proposed to the two Houses of Parliament, for the establishment of a restricted Regency during the continuance of his Majesty's ever-to-be-lamented indisposition: and stating that their Royal Highnesses consider these measures as perfectly unconstitutional, and contrary to and subversive of the principles which seated his Majesty's Royal Family upon the Throne of this Realm.

Mr. Perceval has felt it to be his duty to submit this communication without loss of time to his Majesty's servants; and deeply as they lament, that the measure which they have thought themselves bound to propose shall appear to their Royal Highnesses to deserve a character so directly contrary to that which it has been their anxious endeavour should belong to it, they must still, however, have the consolation of reflecting, that the principles upon which they have acted obtained the express and concurrent support of the two Houses of Parliament in the years 1788 and 1789: that those Houses of Parliament had the high satisfaction of receiving, by the command of his Majesty, after his Majesty's recovery, his warmest acknowledgments for the additional proofs they had given of their affectionate attachment to his Person, and of their zealous concern for the honour and interests of his Crown, and the security and good government of his dominions; and that the uninterrupted confidence which his Majesty was pleased to repose, for a long series of years, in the persons who proposed the measures which were grounded on those principles, entitles his Majesty's servants, in their judgment, still further to conclude, that those principles and measures had the sanction of his Royal approbation.

Downing-street, Dec. 20, 1810.

His Royal Highness the Duke of York, &c. &c. &c.

TUESDAY'S LONDON GAZETTE.

Downing-street, Dec. 25, 1810.

A Dispatch, of which the following is a copy, was received last night at the Office of the Earl of Liverpool, from Lieutenant-General Viscount Wellington, dated Cartaxo, December 8, 1810.

MY LORD—The detachment of the enemy's troop commanded by Gen. Gardanne, which had retired to Sobreira Formosa, have continued their march to the frontier, and by the last accounts had entered Spain.

I have not heard that this detachment had any communication with the enemy's troops on the left of the Zezere, from which they were distant about three leagues. I understand that, having lost some prisoners taken by a patrole and by a party of the Ordenanza, which accompanied the Hon. Lieutenant Colonel Ponsonby on a reconnoissance from Abrantes to the River Codes, they made very particular enquiries respecting the position of Lieutenant-General Hill's Corps, and the means which the Allies possessed of crossing the Tagus at Abrantes; and, having commenced their march from Cardigos towards the Code in the morning, they retired about eleven with great precipitation, and continued their retreat in the same manner till they reached the frontier.

They were followed by the Ordenanza, who did them much mischief on the march, and took much baggage from them. The enemy destroyed many horses and mules which could not keep up with them; and this march, if it was ordered by superior authority, and is connected with any other arrangement, had every appearance and was attended by all the consequences of a precipitate and forced retreat.

No alteration of any importance has been made in the position of the enemy's troops since I addressed your lordship.—I have, &c. WELLINGTON.

BANKRUPTCIES ENLARGED.

J. Lavender, Yeovil, Somersetshire, gardener, from Dec. 4 to Jan. 22.

W. Milburn, Old City Chambers, Bishopsgate-street, merchant.

BANKRUPTCY SUPERSEDED.

W. Randall, Stockbridge, Southampton, wine-merchant.

BANKRUPTS.

S. Barroughclough, North Bierley, Yorkshire, dealer
J. Bowcher and W. Wood, Exeter, wine-merchants.
W. Crammer, Carlisle, hat manufacturer.
E. Evans, Merrythridvil, Glamorganshire, nailer.
T. Hordern, Uttoxeter, Staffordshire, grocer.
J. Kent, Southampton, builder.
E. King, Shoreditch, pavior.
H. Lawrence, Bishop Auckland, Durham, draper.
P. Phillips, Drury-lane, tailor.
W. Phipps, Shoreditch, straw-hat-manufacturer.
B. Romne, Great Carter-lane, coach-master.
T. Stodhart, Warrington, cotton-spinner.
E. Thomas, Merthyrtidvil, Glamorganshire, grocer.
B. Walter, New Romney, Kent, grazier.
J. D. Webb, Liverpool, merchant.
G. Wyatt, Exeter, victualler.

SATURDAY'S LONDON GAZETTE.

Admiralty-Office, December 29, 1810.

Copy of a Letter transmitted by Admiral Sir Roger Curtis, Bart., Commander in Chief at Portsmouth.

His Majesty's Ship Diana, Dec. 24.

SIR,—Since I had the honour of addressing you by the Vautour, I have ascertained that the enemy's frigate, L'Elize, was so far embayed and protected by Tatihou, and the batteries on the north shore, that nothing could be done with the ship to prevent the enemy from working during the falling tide to save the stores, and that the ship was so completely bilged that there appeared little chance of their being able to

save the hull; however, as I once already had been deceived in my expectations of her being destroyed, I determined to risk the chance of the boats being able to set her on fire, which service was generally volunteered, notwithstanding the ship was completely under the fire of heavy batteries, and three armed brigs lying within hail of her. I anchored immediately after dark, and gave the charge of the boats to Lieutenant Rowe, of the Diana, in the barge, (who I knew would execute it if possible), Mr. Bean the gunner, and Mr. Noble the boatswain, who always volunteer; Lieut. Sparrow went in the gig to reconnoitre and watch the brigs to prevent surprize, and Mr. Knocker, master's mate, went in the cutter, and, as the service required the least possible loss of time, they took no other materials but two kegs of the combustible matter received from the Roman; and I am happy to say that, though the water was nearly up to her quarter-deck, we had the satisfaction in an hour from the time they left this ship to see her completely on fire. The batteries and brigs immediately opened a very heavy fire of round and grape, and, as our people did not leave the frigate until the fire took effect, it is with extreme pleasure I inform you that not a single man was hurt.

Lieutenant Rowe speaks in the strongest manner of all employed under him, and I hope you will agree with me in thinking that this service was most gallantly and well executed; they have brought off with them the colours of the frigate and two other ensigns.—Captain Collier very handsomely offered the boats of the Cyane to assist, but as it was not to be done by force, I deemed it best to send the boats of this ship only.—Although there had been boats constantly employed about the enemy's frigate since she ran on shore, they had not cleared any part of the wreck.—I have, &c.

CHARLES GRANT.

Copy of a Letter from Rear-Admiral Sir Richard Goodwin Keats.

His Majesty's ship Milford, Cadiz Bay, Nov. 24.

SIR—Having observed the enemy to have collected several gun-boats in the river of Santa Maria, in a situation subject to bombardment, at a proper time of tide yesterday, I placed the mortar and howitzer boats under the able direction of Captain Hall, which (whilst the Devastation, Thunder, and Ætna, with one division of Spanish and two divisions of English gun-boats, under the zealous command of Capt. Thomas Fellowes and Lieut. W. F. Carroll, successfully drew the attention and fire of Fort Catilina,) threw, seemingly with considerable effect, some hundred shells amongst the gun-boats, and about the place of construction, until the wind coming in from the westward, made it necessary to move them out.

We have not yet ascertained what has been the damage or loss on the part of the enemy, but we have unfortunately on this occasion to lament the death of two highly esteemed and respectable young officers, Lieut. Thomas Worth and Lieut. John Buckland, of the Royal Marine Artillery, whose loss is the theme of universal regret. Mr. Samuel Hawkins, Midshipman of the Norge, also fell gallantly, which, with four Spanish and four English seamen wounded, constitutes our loss in killed and wounded, on a service, the execution of which merits my warmest praise.—I have the honour to be, &c.

G. R. KEATS.

[Rear-Admiral Otway has transmitted a Letter from Capt. Mouke, of his Majesty's late ship the Pallas, giving an account of the boats of that ship having on the 13th instant, under the directions of Lieutenant M'Curdy, captured, on the coast of Norway, two Danish cutter privateers, one of four guns, and the other of two.]

BANKRUPTCIES ENLARGED.

E. Blatchford, Denmark-street, St. George in the East, victualler, from Jan. 5 to Jan. 8.

B. and T. Southey, Fish-street-hill, merchants, from Jan. 1 to Jan. 8.

BANKRUPTS.

J. Stockley, Banbury, Oxfordshire, shopkeeper.
M. W. Watton, Loughborough-parks, dealer.
J. Smith, Lantaster, saddler.
G. Lewis, Swansea, shopkeeper.
G. Chatfield and C. Earle, Westbourne, Sussex, fellmongers.
M. Ashford, Birmingham, plater.
N. Dowson, Foster-lane, warehouseman.
J. Clemson, Manchester, dealer.
C. Muss, Thanet-place, Strand, china-enameller.
P. D. Abbott, Powis-place, Great Ormond-street, merchant.
P. Macalester, Stratford-upon-Avon, Warwick, hawker.
W. Lever, Little Lever, Lancaster, cotton-manufacturer.
G. Hitchings, Rodborough, Gloucester, mealman.
J. James, Colehouse, Somerset, edge-tool-maker.
J. Hyde, Nailsworth, Gloucestershire, clothier.
J. Moody, New Sarum, taylor.
J. Shaw, Oldham, Lancashire, cotton-spinner.
L. Swendall, Bristol, dealer in horses.
B. Levi, Goodman's-fields, merchant.
J. Lane, Pontipool, Monmouthshire, carpenter.
R. Baillie, Liverpool, merchant.

PRICE OF STOCKS ON SATURDAY.

Consols .....67 ⅛ | Red. Am..... .....65 ⅛

TO CORRESPONDENTS.

The first LETTER TO MR. WILBERFORCE, and CIVIS, shall appear, if possible, next week.—Various Communications are still delayed for want of room.

THE EXAMINER.

LONDON, DECEMBER 30.

THE question discussed on Thursday week in the House of Commons, respecting the mode of declaring the Regency, was debated on Thursday last in the House of Lords, and determined in favour of a Bill, but with a much less majority, the Ministers having only 100 votes to 74. This is reckoned a perfect triumph on the part of the Opposition; and so it may be, as men and measures go: but under all the circumstances and prospects of the time, what a picture does such a triumph present of the actual weakness of that Opposition in particular, and of the popular opposition in general! The decided turn for the worse which his MAJESTY's disorder seems to have taken, had it's weight on the occasion; yet, so prevailing is present power and so little regarded are the Whigs, that even at such a time they cannot shake down the superior influence of their rivals.—an influence, that by means of this aforesaid Bill and it's Restrictions may yet intrench itself in the Court,—may yet have much to enjoy and much to give away. In the event, therefore, of the PRINCE's acceptance of the humiliating honours offered him, the Ministers bid fair to form a cabal against his measures,—a kind of Court against Court, where a paltry circle of interest will be preferred to that of the nation, and bigotry of every kind opposed to liberality, to conciliation, and to every other step towards Reform, which the REGENT may be inclined to take. Were such a state of things likely to last, or even to effect as much as it's authors flatter themselves it may, it would be advisable perhaps for the PRINCE not to make himself an unwilling party to it's establishment; but his future power as well as reputation depends on *himself*,—his future

power over the hearts of the people depends on *himself*,—and if his Royal Highness, in the fullness of his experience in past events and of his gratitude for past affection, should take the proper steps to re-assure and re-conquer those hearts, he must be satisfied, that there is no obstruction—no petty rival—no artificial and unconstitutional power, can stand before him.

☞

Lord BURGHERSH arrived on Wednesday last from Lisbon, and, according to report, was entrusted by Lord WELLINGTON with confidential communications as to the distressing situation in which his Army was placed; not merely by the long continuance of westerly winds, which had deprived them of all succours from England, but by the positions of the enemy, which made it a certainty that no military operations would occur for a ruinous length of time. We have reason to believe, that Lord WELLINGTON is convinced of the utter impracticability of the object of his expedition.—Lord BURGHERSH says, that the retreat of General GARDANNE was owing to false information which he had received of the force of the Allies, which threw him into a panic, and he fled with the utmost precipitation.—*Morning Chronicle.*

The Nocton packet from Cadiz, which she left on the 12th, has brought a report of the Toulon fleet having put to sea, with the intention, it is supposed, of pushing for Cadiz.

SEBASTIANI, with 10,000 men, after defeating General BLAKE, has arrived before Cadiz. The enemy have collected a flotilla of gun-boats. An attack was made upon them by a British and Spanish force, and three were driven ashore: we lost two Officers in the attack.

The Cortes have resolved, that the Members of the former Council of Regency be ordered to render an account of their administration and conduct within two months.—They have also decreed that the Deputies of the Cortes ought to be altogether independent from the Executive Power, and not to hold any office which renders them accountable to the said Executive Power, in order to avoid its influence.—All this looks well.

From Buenos Ayres some letters have been received, dated the 26th of September. They contain the important information that Chili, Lima, and their dependencies, had formed Juntas on the plan of the Revolutionists, and had disclaimed all connection with the Regency of Old Spain.—Letters were also received from Caraccas, representing that settlement to be in a state of total disorganization and anarchy. A counter-revolution was daily apprehended, and many families of rank and fortune had removed with their portable effects to a situation of less insecurity.

It is asserted in letters from Cadiz, that many of the deputies to the Cortes are in a state of indigence so great, as to be indebted, even for food, to the elemosynary kindness of charitable individuals.

A division of the army of Murcia, under the immediate command of Gen. BLAKE, has experienced a severe repulse, in an attempt to surprise the town of Baza.—The division was defeated with the loss of 500 men killed, and six pieces of cannon. The same letters state, that the French surprized the town and garrison of Teruel, taking all the cannon, and dispersing or killing all the garrison.

Some symptoms of tumult have been manifested in the Brazils. Several arrests have taken place in the capital, and a body of troops under the CONDE DE ARCOT were on their march to Bahia, to secure submission in that dependency.

In America, serious apprehensions are entertained that a national bankruptcy will take place here: and in consequence of this expectation, it is asserted, that Bank of England Notes had been sold at public auction at 94 per cent.

The Message of the President of the United States to Congress is said to have been brought to Liverpool by a vessel from New-York. We believe this statement is incorrect. There is a vessel from New-York, the Enterprise, arrived in the Downs. She left New-York the 4th, the day on which the Congress was to meet; of course she could not have brought a copy of the Message.

The following requisition has been presented to the Right Hon. the LORD MAYOR:—

MY LORD,—We, the Undersigned, request your Lordship to convene a Court of Common Council on the earliest possible day, for the purpose of considering the propriety of addressing the Lords and Commons on the most constitutional means of amply and sufficiently supplying, in the person of his Royal Highness the Prince of Wales, the afflicting incapacity of his Majesty to discharge the necessary duties of the regal office.

Signed by M. Wood, W. Rawlins, E. Quin, W. Jones, R. Waithman, J. Wright, Jos. Harcombe, G. King, J. Pearsall, P. Fenton, jun. W. J. Reeves, S. Miller, T. Reeve, J. Turner, and W. Heygate.

The LORD MAYOR has returned the following answer:—

Mansion-House, Dec. 29, 1810.

GENTLEMEN,—In consequence of having received a requisition from you to convene a Court of Common Council, on the earliest day possible, for the purpose of considering the propriety of addressing the Lords and Commons on the most constitutional means of amply and efficiently supplying in the person of his Royal Highness the Prince of WALES the affecting incapacity of his MAJESTY to discharge the necessary Duties of the royal office, I have consulted with several of the principal Officers of the Corporation, and find, by their decided opinion, the Court of Common Council cannot be constitutionally or legally assembled until after the return made to me by the Wardmote Inquest, on Plow Monday (according to ancient usage and custom) of those Citizens who are to serve in that Court for the year ensuing. I will therefore give directions for summoning the Court of Common Council to meet, agreeably to your wishes, on Tuesday the 8th day of January next, being the day immediately after Plow Monday.—I am, Gentlemen, your obedient servant, J. J. SMITH.

LUCIEN BONAPARTE, accompanied by his Secretary, passed through Taunton on Monday last, in a chariot and four, followed by Mr. MACKENZIE, in a like conveyance. LUCIEN behaved with much affability towards those who were solicitous of seeing him, but appears anxious to avoid notice. He observed, that all he had heard of the curiosity of the English was greatly surpassed by what he had witnessed. Numerous groupes of people were assembled in every town, village, and at every turnpike, through which this remarkable Personage was to pass. He was to sleep at Street, a very obscure station on the road to Bath, but which commands an excellent inn, the same evening. His wife and family were to follow him in a few days, and to perform the journey by easy stages. LUCIEN and his Secretary wore travelling caps, the fronts of which they pulled over their faces, immediately on quitting the inn.—*Taunton Courier.*

A Letter from Ludlow, dated Dec. 27, says, "This retired residence is to-day all in a bustle, on account of our new guest, LUCIEN BONAPARTE.—His arrival took place yesterday afternoon, on the fourth day after leaving Plymouth, from which this place is rather more than two hundred miles distant. He was accompanied by Mr. MACKENZIE, two other gentlemen, and three servants, occupying two chaises and four. The presence of so remarkable a stranger attracted to the Inn an unusual concourse of people, who are now following him and Mr. MACKENZIE with great eagerness in their walk round the Castle. Lymme House, near Montgomery, his intended residence, requiring considerable repairs, Lord POWIS is occupied in preparing for him another of his seats, five miles from this, called Stone-house, and an Officer (Colonel DRURY) is gone there to report, officially, on its fitness for the residence of this conspicuous prisoner. But it is expected that LUCIEN will remain for a week or ten days at this place, the beauty of our environs appearing to attract his attention."

"A part of our report of the trial of the action of "Bell *v.* Byrne," relative to the reply of Mr. TOPPING to the observations of the ATTORNEY-GENERAL, and the interference of Lord ELLENBOROUGH, having been supposed to bear the interpretation that Mr. TOPPING felt himself to be in error, or to have transgressed some rule of good manners or propriety, we are requested to state, that in point of fact, Lord ELLENBOROUGH's interference vindicated Mr. TOPPING's conduct, by stating that the observations of the ATTORNEY-GENERAL had proceeded from a misunderstanding of the remark made by Mr. TOPPING, and at the same time bore testimony to his Lordship's personal knowledge of the character and disposition of Mr. TOPPING."—*Morning Chronicle.*

STATE OF THE NATION.—Bankruptcies, unprecedented in number, occasioned by a ruined commerce—a depreciated paper currency, and the disappearance of the precious metals—a national expenditure, which Mr. HUSKISSON, the friend of Mr. PITT, says cannot much longer be supported—an enormous taxation, which Mr. HUSKISSON says cannot be encreased—an army in Portugal, which every body says can do no good—an imperfect representation, which the House of Commons say shall not be reformed—his Majesty incapacitated—Mr. PERCEVAL his Minister—Mr. YORKE at the head of the Admiralty—and BONAPARTE at the head of the French nation—These are a few of "the evils which surround and oppress us."—*Stamford News.*

It would seem that the Spanish Cortes have determined to establish the liberty of the press in Spain, chiefly on the faith of the example of England. They are of opinion that we are a great nation, *because* we may *canvas* the actions of public men—*inspect* the conduct of our representatives—and *make known our opinion upon it.*—Some are of opinion that we are not now so *great* a nation as we might be; and they recollect that *truth* is a *libel*, and that the House of Commons *lately sent a person to prison for censuring the conduct of one of its members.*—*Stamford News.*

Another hoax was practised on Tuesday at Edinburgh. Cards were put into the Post Office, addressed to medical gentlemen, upholsterers, grocers, confectioners, [illegible] mantuamakers, wigmakers, &c. desiring [illegible] gentleman's house, a few miles from Edinburgh, and requesting them to send a hearse and mourning coaches for a funeral; and others to send out quantities of wine, grocery articles, upholstery goods, &c.—In consequence of this the road was crowded on Tuesday with carriages, coaches, a hearse, and twelve mourning coaches, with mourners, and other appendages; porters with wines, spirits, teas, sugars, &c. carts with upholstery goods, milliners and mantuamakers with bandboxes, persons with wigs, &c. After their arrival at the house to which they were ordered to go, to their utter astonishment they found the whole to be a hoax of some silly, malicious wag!

Capt. BAILLIE, who died on Saturday week at Paddington, was a man of amiable manners and unimpeachable integrity. He was distinguished from an early period in life among the most tasteful amateurs of art. The President of the Royal Academy himself had not a more accurate connoisseurship in the works of the old masters; and his etchings from REMBRANDT, scarcely inferior to those of that celebrated painter, adorn the portfolios of the best collectors.

IRISH SOLDIERS.—The following character of the Irish Soldier is extracted from a speech of Mr. O'CONNELL before the Catholic Committee:—"It is an undoubted fact that the Irish peasantry are almost exclusively Catholics, and can there be in the world finer material for the soldier than this our in vain beloved countryman? He is of all the race of human beings the fittest for a military life: he is brave, good-humoured, active, strong and most faithful to the last of his blood and his breath:—no perils discourage him—no fatigues break down his strength or even his spirits. There is no exaggeration in this picture, nor do I speak from national vanity, nor indulge the affection I bear, as my first passion, for the finest and the most oppressed of uneducated man. The history of the world confirms my statement. Whenever the Irish soldier has been engaged, he was always found foremost in danger, and the last to retreat; and even his other calumniators cannot refuse to join with Spencer in admitting, that in battle he cometh to his charge most gallantly."

On Tuesday, a Court-martial was held at Portsmouth, on *Jacob Fambeau*, *Emanuel Rotherings*, *James Maguire*, *James Tapling*, and *James Green*, seamen of the *Bellerophon*, for mutinous and disorderly conduct. They were found guilty. The three former were sentenced to receive 100, and the two latter 50 lashes each. On the same day Lieutenant *Frake*, of his Majesty's ship Africa, was tried for leaving the ship on the 1st day of May, at North Yarmouth, and not returning. The charge having been proved, he was sentenced to be dismissed from the service, and rendered incapable of ever serving as an officer again.

The present is called the Paper Age! How well by this appellation will its nature be demonstrated to posterity! Our children's children shall read the record; and when they mention the *Paper Age*, it will be understood to mean that period when—

Bank Notes - - were Money,
Fictitious Bills - —— Capital,
Bulletins - - - —— Victories,
Decrees - - - —— Government,
Votes - - - - —— The Art of Ruling,
Quack Puffs - - —— Medicine,
Villainous Quibbles —— Law, and
Waste Paper, Religion; or rather, *vice versa*,
Religion, Waste Paper!

The remains of the Duke of Queensberry are not to be conveyed to Scotland, but to be interred in St. James's Church-yard, to morrow, in the most private manner. His Grace has wisely directed in his Will, that no hatchments shall ever be affixed to the front of any of his houses.

NAVAL MISMANAGEMENT.

Mr. Examiner,—The shameful depredations committed by the enemy's cruizers, off the southern coast of our Island, is really a national disgrace; and any individual who can point out the means of checking the evil is, I conceive, called upon by his country so to do.

While I was at Brighton this season, I associated much amongst the old fishermen, and frequently conversed on the subject of the protection of that part of the coast. I happened to be in conversation with an experienced old seaman one day, when an enemy's cruizer hove in sight. "Aye, aye! we had no such goings on during the American war, I assure you," said he; and why? I asked; "Because," answered he, "we had the Liberty cutter here, and not a Frenchman dared to shew an a—e in sight o' her: as for your Jem-cracks here o' your schooners, why what's the use o' they when the wind 's flush?"

This led me to inquire from him what was the general opinion amongst the seamen there, as to the description of vessels most suited to protect the coast. Two such vessels as the Liberty cutter, with good Commanders, that knew the coast well, would be sufficient, he said, to protect the whole line of coast thereabouts. The following, he informed me, was the size and burden of the cutter (the Liberty) of which he spoke:—She was 100 feet long, carried 20 guns (long nines), was 37 feet wide, and 300 tons burden. Such vessels, he added, would be able to keep the seas almost at all times; and one stationed at Seaford and one at Shoreham would be sufficient for the whole line of coast. Let the Lords of the Admiralty look to this, although the son of a great Court favourite commands the schooner stationed the whole of last season off that coast.—I am, &c. A Constant Reader.

Loss of the Nymphe and Pallas Frigates.—The following letter gives some particulars of this distressing event. They were commanded by Captains Clay and Monke.

"*Dunbar, Dec.* 19.

"Our coast presents a dreadful spectacle of the wreeks of two fine frigates, the Pallas of 32 guns, and Nymphe of 36; the one a mile below Dunbar, and the other three miles further. Coming up the Frith, at half past ten last night, when at the rate of ten knots an hour, they both ran aground on the rocks, and exhibit a total wreck, the coasts all strewed with beams, planks, casks, &c. Fortunately only seven or eight men have lost their lives in both, who were brought on shore, and every means in vain tried for their recovery. The First Lieutenant was brought out apparently dead; but after half an hour he was so far recovered as to be removed to the Duchess of Roxburgh's. He is now well. It was eleven this morning before a boat could go to their assistance, although within a cable's length of the shore; and the life-boat upset with forty men in it. Luckily only one was drowned. Most of our regiments have been here all day, guarding the wrecks, and assisting as far as they could. The miserable appearance of the half drowned seamen, as they were carried ashore, was truly deplorable. Although they had a pilot on board, they mistook a lime-kiln burning at Broxmouth for the May-light, and the May for the Bell-rock."

PRIVILEGE OF FRANKING.

Sir,—The Franking of Letters by Members of Parliament for their friends and connections, has become now so much a matter of course, that no person who has the least connection with a Member ever thinks of letting his friends pay the postage of letters from him to them:—but this privilege, granted to Members for the sake of public information, becomes a mere vehicle for private convenience, and the cover written in the hand-writing and signed by the Member, becomes a mere blind to defraud the revenue, which at a calculation of four letters sent in this manner per day, at 1*s.* each, will make a decrease in the annual revenue of something better than 40,000*l.*!—and if the party should happen to be particularly acquainted, letters do absolutely come under cover to the Member, (and this to no small extent) as letters to himself, and which are by him, or by his directions, delivered to the real person for whom they were originally intended. This, Sir, is a fact, and which a small portion of your penetration will enable you to discover. This is done by men of high rank and character, and the making use of a Member's *cover*, or his name, has become now so much a matter of *custom*, that nothing but a public exposure of it may enable us to hope to have this evil redressed.

Surely, Sir, when the nation is oppressed in the way it is—and the individual who by his industry is scarcely able to obtain the common necessaries of life, is, by an act of our Legislature, directed to be called before a host of persons, called Commissioners, to declare upon his oath, (contrary to the general principles of our Constitution—that no man shall convict himself) as to the amount of his income, and whose income should happen to be fifty guineas a year—is assessed at 5*l.*, (this too upon the plea of public necessity,)—surely, I say, it is not too much to ask that this as well as other grievances may be redressed, and the burthens of public expenditure be more proportionally borne. An Observer.

THEATRICAL EXAMINER.

No. 85.

LYCEUM.

A new melodrama from the French, called the *Magic Bride*, and not demanding a minute criticism, was produced at the Lyceum on Wednesday night from the pen of Mr. Skeffington. It is the story of a Neapolitan princess (Mrs. Edwin), who to try the sincerity of her lover (Mr. Holland), gives out that she is no more; and by means of a black slave dressed up for the occasion (Mr. Raymond), is raised from the dead by mock-incantations, first as a likeness of herself sent by a good genius to console him, and afterwards as her own shade, in order to fix his doubtful mind upon a pure and faithful remembrance of her, abstracted from this likeness. A jealous lady (Mrs. Powell) after a number of vain and sufficiently impassioned attempts to draw the gentleman from his ghostly allegiance, reports these doings to the Inquisition, and thus the secret is discovered, though without any hurt to the lover and princess, the good-natured king her father having, it seems, permitted the whole business. The language of this piece abounds with the usual opinions of Mr. Skeffington respecting the goodness of virtue and the loveliness of fidelity; and is more than ordinarily just to it's sentiments, being of a correct English, and fluent withal. The story must of necessity be interesting to the holiday-

children, abounding as it does, besides ghosts, with the usual twelfth-cake embellishments, in the shape of coloured temples, grotesque figures, and snap-dragon cauldrons. It is hardly fair however in Mr. SKEFFINGTON to be so hard upon the awe-stricken imaginations of his little spectators, who have already had a sufficient number of horrifications from Mr. LEWIS and others to last them till the years of discretion; and had not the terrors of the *Magic Bride* been represented as pure delusion, the *Examiner* would have thought it his duty to have shewn himself a less gentle critic than, he flatters himself, he has done on the present occasion.

THE OPERA.

SIR,—The Opera-House has opened for the season, with all its usual symptoms of bad management, exemplified by its internal appearance, disfigured by rags and dirt, and by the wretchedness of its scenery, dresses, and decorations, which would produce murmurs from the audience of a puppet-shew. But nothing better can be expected while the public continue so indifferent to the insults they receive, and while the theatre is in the hands of a manager so destitute of taste and liberality as Mr. TAYLOR. The talents most esteemed by him are those which can be procured for the least money, and consequently the authors and composers that he employs are the very refuse of their professions. While such is the system of management and such the unconcern of the public, the musical amateur must content himself with the entertainment that the performers and orchestra afford, and the latter, although inferior to what it was a few years ago, has still to boast of being the finest band in the country.

The new opera of *Zaira*, with which the theatre opened, has been injudiciously selected for the purpose of introducing Madame BERTINOTTI to the public, in a character by no means adapted to her figure and face, which bear some resemblance to those of Mrs. BLAND, and have too much plumpness,—too much the appearance of self-enjoyment and good living, to accord with our ideas of a tragic heroine, who is generally doomed to endure all the vicissitudes of life, in a perpetual round of starvations, imprisonments, swoonings, and all the train of operatical miseries. This lady, however, makes no pretensions to acting, and being perhaps more skilful in wielding a knife and fork than a dagger, wisely avoids attempting what must appear ridiculous, and contents herself with walking on the stage or off, lifting occasionally an arm or an eye, and frowning or smiling, as in duty bound. Acting is generally considered, at the Opera, as a mere secondary acquirement, and after the patient endurance which Madame CATALANI's absurdities have received, no actress can reasonably fear that want of abilities in that line will be any impediment to her success. The voice and taste of Madame BERTINOTTI are her only recommendations, but they are both of a very superior kind; the former is powerful, melodious, and, what we rarely find, perfectly in tune. Her singing is enriched and decorated with a variety of turns and graces, as tastefully conceived as they are correctly executed. Her only defect, and that but a slight one, is a piercing shrillness in her upper notes, which produces rather an unpleasant sensation on the ear.

Madame BERTINOTTI was admirably supported throughout the opera by Signor TRAMEZANI in the character of *Osman*;—his expressive style of singing, and the judicious action with which it is accompanied, afford a combination of pleasure altogether new to the opera-stage.

The music of the piece is by the Chevalier FEDERICI, and is, I believe, the first of his compositions which has been represented in this country. It certainly appears to great disadvantage at the present time, when the sublime music in WINTER's opera of *Zaira* is still fresh in our recollection; but though FEDERICI cannot claim a comparison with that great master, his music has the merit of being appropriate and possesses a pleasing variety of air and harmony, very different from what the public have for two seasons been accustomed to hear. H. R.

THE KING'S ILLNESS.

MEDICAL BULLETINS.

"*Windsor Castle, Dec.* 23.

"His Majesty is not quite so well this morning, although he had several hours sleep yesterday evening."

"*Windsor Castle, Dec.* 24.

"His Majesty has had a sleepless night, and is not so well to-day."

"*Windsor Castle, Dec.* 25.

"His Majesty had a severe attack of fever yesterday evening, but he got some hours sleep in the night, and the symptoms are very much abated this morning."

"*Windsor Castle, Dec.* 26.

"His Majesty, since the abatement of his fever, has continued nearly in the same state."

"*Windsor Castle, Dec.* 27.

"His Majesty has passed an indifferent night, and continues much the same as he was yesterday."

"*Windsor Castle, Dec.* 28.

"His Majesty has been rather better through the last 24 hours."

"*Windsor Castle, Dec.* 29.

"His Majesty has passed a good night, and continues as well as he was yesterday."

The rumour mentioned by the Marquis of LANSDOWNE, alluded, it is said, to a change in the routine of the Physicians' attendance on his Majesty, at a moment the most critical, and when the most skilful medical skill was required. Her Majesty felt herself compelled to remonstrate against the order, which in this instance she did successfully.

EXTRACT FROM THE REPORT OF THE LORDS COMMITTEE.

Tuesday, December 18.

Doctor R. D. WILLIS called in and examined.

When Dr. Willis expresses his confident expectation of his Majesty's recovery, does he mean his final recovery, without the probability of a recurrence of the same indisposition?—Certainly not.

Should his Majesty recover so as to fulfil all the expectations which Dr. Willis means to express, is it in his opinion more or less probable that his Majesty would be subject to similar indispositions?—His Majesty having already laboured under four attacks, it is more probable he WILL CONTINUE LIABLE TO REPEATED ATTACKS.

How many relapses have taken place in his Majesty's present disorder since his Majesty was taken ill in October last?—There have been two relapses.

State the periods of those relapses?—The 15th of November and the 5th of December were the periods at which a considerable degree of increase of the symptoms took place, which have been denominated relapses.

Did not the first relapse occur about the period of the Princess Amelia's funeral?—On the following day, or the day after that.

When Dr. Willis speaks of relapses, does he mean relapses after a cessation of the disorder, or after a remission of the disorder?—Certainly after remission; his Majesty's disorder has never ceased.

Have the remissions in the present disorder been of longer or shorter duration than those of the disorder in 1801?—Hitherto they have been shorter.

Whether the remissions have been more or less complete in his Majesty's present disorder than in 1801?—I think less complete.

Whether the progress towards recovery has hitherto been the same in this as in former attacks?—It has rather been more prolonged than in 1801, but it is further advanced than in the first attack in 1788; I cannot speak as to the attack in 1804.

Whether the approaches towards recovery are more likely to manifest themselves by a gradual diminution of the paroxysms and increase of the remissions, or by a sudden or total cessation of the complaint?—Probably by the gradual diminution of the paroxysms, and the lengthening of the remissions.

At what time did Dr. Willis first see his Majesty in this disorder?—On the 6th of November.

Was that paroxysm severe?—Extremely severe,—his Majesty's life was in great peril.

How far in the instances with which Dr. Willis is acquainted of persons suffering under repeated attacks of the disorder, the frequency of such attacks has increased or diminished, as the patient has advanced in age?—I cannot answer to the frequency.

How far has the violence of the attacks increased or diminished under the circumstance stated in the former question?—The violence has increased.

Is the stage at which his Majesty's disorder has arrived, one that warrants the expectation of progressive amendment?—It certainly warrants the expectation of progressive amendment; because it is the stage through which each of his Majesty's disorders has passed.

Upon comparing the present state of his Majesty's illness with its corresponding stage in 1801, does Dr. Willis or does he not entertain an equally favourable expectation of his Majesty's recovery?—Comparing the two stages together, I have no reason to have a less favourable opinion than I had in 1801.

After what period of time, supposing no material abatement of his Majesty's disorder shall have taken place, would Dr. Willis cease to entertain confident hopes of his Majesty's recovery?—I must still think, that my opinion would be more guided by the symptoms that were then present, than by the period of time.

Dr. Willis is desired to answer the question, supposing the symptoms continued nearly as at present?—I should certainly begin to have a very unfavourable opinion of his Majesty's recovery, if the usual period at which recovery has taken place in the former attacks had passed by.

What do you conceive to have been the usual period, dating from the commencement of the complaint?—The periods have differed; in 1788-9, it was nearly six months; the other periods were shorter: I have spoken of the longest.

To what class of disorder is his Majesty's present indisposition referable?—According to an arrangement in my own mind, I should consider it as a derangement of mind closely allied to delirium, and occasionally falling into it.

Does the species of disorder which Dr. Willis has just described, differ from what is usually termed insanity?—There is a wide difference betwixt them.

You are desired to state, whether a due regard to any or all such circumstances does or not diminish the confidence, which you expressed in the beginning of your examination, that his Majesty will ultimately recover, so as to transact all business? My confidence that his Majesty will ultimately recover, so as to transact all public business, is not diminished; but this opinion must be subject to the uncertainty which attends all medical prognostics.

CAPT. AND ADJUTANT MASON.

Sir,—Allow me to prove to the public, that the assertions contained in the Letter defending Capt. Mason are not founded in truth, and that the whole of what this Mathew has written is to be received in any other light than that of gospel.

To be sure, Mr. Matthew goes bravely to work: his *assertions* would undoubtedly acquit Capt. Mason of all misconduct;—nay, not only acquit him, but raise him in the public estimation, as a good officer and a good man, provided he had *proved* them; but here he totally fails; indeed he never attempts the proof; and though we cannot deny that Mr. Mathew is a very bold man in undertaking such a desperate defence, yet still this boldness is no guarantee for his veracity. I must still, therefore, be of opinion, that the evidence, upon oath, of several witnesses at the Court Martial, is to have somewhat more weight than Mr. Mathews' unproved and unlikely assertions.

I maintained, Sir, that it was fully proved on the Court-Martial, that Capt. Mason had been guilty of *breach of duty*, *fraud*, and *cruelty*. How does this volunteer advocate reply to this? Why, that I had not attended to the evidence, and that "although *in a few instances* it appeared that a *smaller sum* than the regulated bounty had been paid to recruits, it was established, to the *satisfaction* of the Court-Martial, that *many others* had received *larger sums* than the Government allowance."—Now, Sir, I shall make very short work of this *proof* of Capt. Mason's purity. At the Court it was abundantly proved, by the oaths of several persons, that many of the recruits had never received the stipulated bounty. This, you see, is admitted by Capt. Mason's advocate, though he confines it to "a few instances." But, Sir, though this was in full proof,—though the President admitted that it was proved,—though not one-third of the evidence was adduced, because the thing was as clear as the noon-day sun,—though this single charge went at once to prove that *fraud* had been committed,—how was it met on the part of Mason? Did he deny the fact? No; he could not; but he *said*, that he had paid to other recruits "larger sums" than the regulated bounty. This was his defence; and though it admitted that he had been guilty of a *breach of duty*, in violating the regulations,—yet, Sir, had even this been *proved*, I for one should have acquitted him of intentional fraud. But not a jot of proof was adduced: not a single man who had thus received more than the regulated bounty was brought into Court. So, against the *oaths* of many witnesses, we have the culprit's *word* and his advocate's *assertion*; and this it was that "established, to the *satisfaction* of the Court-Martial," the purity of Captain Mason!—So much for the *fraud*: now, Sir, for the *cruelty*.

"He was found *guilty*," says J. Mathew, "of striking *two* or *three* individuals." He was indeed: this man of "character and good conduct" was found guilty of the most disgusting and brutal assaults upon his men; and yet what was proved in Court was only part of what would have been brought forward, had not the time for bringing charges been limited by law. J. Mathew, as he says no more on the subject, is doubtless quite ignorant of every thing of this sort: yet to be ignorant he must have been deaf in Court and blind out of it. Ignorant, however, he must have been, or so candid and discreet an advocate would not have passed it over so slightly. I must be per-

mitted however to enlighten him a little; and must intreat J. Mathew and all the subscribing Officers; when they next set their names to "an honourable testimonial" of Captain Mason's "merits," that they would not forget to eulogize,

1. The knocking out of Serjeant *Johnson's* teeth;
2. The thrusting a spur into the mouth of *Wm. Smith*;
3. The repeatedly striking *James Denham* with a sword whilst on duty;
4. The kicking the younger *Smith* on the legs, when on service; and
5. The thrusting a cane into Serjeant *Wood's* side, in consequence of which blood oozed out of his body for many weeks!

Men like myself, Mr. Examiner, who are "extremely ignorant of military matters," think that such facts should have consigned the guilty perpetrator, at least, to dismissal and official disgrace: but no: the man is eulogized by this General, patronized by that Colonel, defended by his brother officers, and merely *reprimanded* by the Court Martial! It is this, Sir, which has astonished the public, and must continue to astonish it; and not the public only; for notwithstanding what such Officers and such a Court-Martial may think, it is well understood that the Judge-Advocate is of a very different opinion,—that the Secretary at War is of a different opinion,—and that even the Commander-in-Chief is of a different opinion; though perhaps J. Mathew will contend that they too are "extremely ignorant of military matters." Of *militia* matters, I am afraid, they are not sufficiently informed.

Not wishing to trouble your readers with minor details, I pass over Capt Mason's notorious bullyings and blasphemies, at once so officer-like and so exemplary,—his procuring the poor privates to work for his private advantage,—his assuming the profitable duties of several of the Officers, whilst they are at their shops and counting-houses,—his furnishing the men with articles which are unfit for use,—his charging them one price, and his taking another after remonstrances are made,—and all his other dirty tricks of gain, which abundantly prove that he has not risen from the ranks by any "crooked ways." These things, Sir, are notorious enough: but I cannot pass over J. Mathew's allusion to the previous Court of Enquiry, at which, he says, though 28 charges were brought against Capt. Mason, 23 were declared unfounded. This may be true; and yet what does it prove? Among the five left, were charges of *Breach of Duty*, *Fraud*, and *Cruelty*. These charges, as I have shown, were all proved, and the Court of Enquiry acted a wise part in narrowing the duties of the Court-Martial. If a man be proved guilty of murder, it is not, I believe, necessary to try him for an assault. At this Court, too, what did Colonel Hamilton say to Capt. Mason, when the Captain told him that he was *going* to send in a correct statement of his Accounts? (they had been sworn to before.) Surely Capt. Mason will never forget the Colonel's significant allusion to the detected thief, who is happy to return the property he has purloined, if permitted to escape. No; *he* never can forget it, neither will he forget the general feeling of contempt which filled *that* Court,—a Court composed of real soldiers, men of ability and of honour,—in a word, *Gentlemen*,—not mercenary traders and jobbers, who wield a sword, a pen, or a pair of scales, with the same views, though with far different abilities.

My assertion that the talk of giving Captain Mason a sword was "a miserable puff," is proved from the result. The paragraph in the papers said that the Officers *had resolved* on presenting their "upright" Adjutant with a sword. They had resolved on no such thing, Sir; or what could have prevented the execution of such resolve? I repeat, the whole was a "miserable puff," just suited to the taste and talent of the immaculate Adjutant and his dignified compeers.

A few words as to the Prosecutor *Throp* and his *motives*. Captain Mason *says*, that he is a bad man, and that he is actuated by motives of *revenge*, because he could not obtain his discharge. Nothing, however, is *proved* against him; and it must appear plain to every one, that if *Throp* were a devil rather than an honest man, his want of virtue would not make up for Captain Mason's want of principle. Throp, as has been before observed, was not the *evidence*: Mason's delinquencies were shewn even by Throp's opponents;—and all this anxiety to blacken him, proves that Capt. Mason is conscious of his inability to whitewash himself.—For my part, Sir, I know nothing of Throp. I am informed that he is an active and an honest man, and a good soldier; and I am quite sure, that his case is a very hard one, in his thus being stripped of all his money, as well as being involved in debt, for having had the courage to bring an acknowledged offender to justice.

I have now done, Sir: I leave J. Mathew and his Patron to their enjoyments,—the one to commit the most disgraceful acts, and the other to *volunteer* (as he says) in their defence. They will soon obtain, I am sure, their proper notice, and, I hope, their just reward. Mason indeed is silent; but a *disinterested* advocate steps forward, from mere sympathy! Congenial souls! Yet it should be remembered, that the infamous Chartres had his admirers, and the gibbetted Abershaw his friends and followers.—Yours, &c. J. H.

Westminster.

ANTOINE DUBOST.

Thursday Evening, Dec. 27, 1810.

Sir,—Having read in the *Morning Herald* of last week the announced defence of Mr. Dubost, I am induced to make a few observations on it through the channel of your paper. From the pompous manner in which this defence was announced, I confess I had expected to find Mr. Dubost completely justified, and proved undeserving of the severe epithets applied to him by the Attorney-General, but either my comprehension is very dull, or the arguments adduced in favour of Mr. Dubost are singularly deficient both in point and application. After an attentive perusal of the entire column which the commencement of this justification takes up, I have only been able to discover, that Mr. Dubost lays claim to the title of a *Gentleman*, and that Sir Sydney Smith's present Coachman can prove him to be so, having lived in his service as Groom;—he also states his having mixed in the best society of Paris during the imprisonment of that gallant officer; which is indeed rather a singular mode of laying claim to gentility, for this period at which he boasts of having mixed in this *respectable* society of his country, happens unluckily to be the very moment when there existed *none* of that description; when Paris was a mere den of *escrocs* and *assassins*, when its society was com-

posed of all the revolutionary dregs that had not been swept away, and when a decent respectable person would have blushed to have been seen in society, and still more to have owned it. That Mr. D. *may* be a Gentleman by *birth*, is possible; but assuredly his conduct gives little reason to suppose he is so by *education*: for what man possessing the nice sense of honour necessarily connected with and so intimately included in the term "*gentleman*," *could* bring himself for one moment to sport with the feelings of a family whose hospitality he had shared in? and that Mr. Dubost did this, is a fact upon record, most adverse to the honourable principles of that character which he so imperiously lays claim to. It is not his merits as a painter, but his conduct as a *man*, that it is my intention to discuss; it is in *that* point of view he appeals to the Public as having been unjustly and undeservedly stigmatised, and therefore he may be considered as having descended into the arena armed at all points for defence. That a foreigner should meet with justice, and an impartial hearing, is what every liberal Englishman would wish; but that a Frenchman should be received under the roof of a generous and liberal individual, should be encouraged, employed, and amply rewarded, and that in return he should repay his benefactor by a Caricature, as disgustingly indecent in its allusion, as it was disgraceful in its execution; that he should be guilty of so gross a violation of every law of decency, every perception of *gentlemanly* propriety, and then, when called on for his defence, tell us in excuse and by way of mitigation of punishment, "*that he is a gentleman*," is a novel sort of hardihood that excites ridicule as well as contempt. The *Morning Herald's* defence of Mr. Dubost, reminds me, Sir, of that which Sir William Draper used in defence of his friend the Marquis of Granby, when the latter was attacked by Junius; for Sir William, notwithstanding the elegance of his writing, left his friend in a *worse* state than he found him. The motto prefixed to this defence of Dubost, from the Abbé de Bellegarde, "Sur la Politesse," is most unfortunately chosen for an attack upon Mr. Hope, as it is well known to every one who has the honour of that gentleman's acquaintance, (and I will give a striking *proof* of the truth of my assertion ere I conclude), that (to quote the *words* of the *Herald's* motto) the "plaisir d'avoir fait une bonne action, et d'avoir tiré son ami d'un embarras," or in plain English, the conscious satisfaction of having done a good action and relieved a distressed individual, is the only return Mr. Hope ever expects from his very numerous acts of bounty; and so far from "boasting of them either in the streets or amongst his acquaintances," even his own family I am convinced are often totally unacquainted with them. —This, Sir, is not mere *assertion*: for I know a Gentleman of respectable connections, now in misfortunes, who, having many years ago been known to Mr. Hope in Italy, applied to him lately in a moment of bitter distress and great perplexity, and although he could not claim the intimacy of friendship, yet was saved both the anxiety of suspense and the shame of solicitation; for he was immediately relieved.—This person, Sir, a man of literary pursuits, had a work ready for the press, and eager to testify his gratitude, requested Mr. Hope's permission to dedicate his publication to him, which from modesty and delicacy was declined. Is this, Sir, the conduct of a man *publishing* his benefits in the market-place, or proclaiming them in the temples? No, Sir, it is the conduct of a noble and liberal mind, which having enjoyed the satisfaction of relieving the distress of one whom he had known in better circumstances, disclaimed any other remuneration than the self-gratification arising from the act.—And is such a man as this, Sir, to be wounded by a needy Frenchman, in return for his liberality, and to find the baseness of such an unprincipled attack upon his domestic circle attempted to be *justified*? If such be the reward of patronage, what wealthy man would encourage the Arts, or admit the artist to his table? We are told, Sir, that "Ingenuas didicisse fideliter Artes *emollit* mores nec sinit esse *feros*—" Does Mr. Dubost's conduct prove the truth of this adage? But in less polished society, Nature seems to have implanted gratitude in all living creatures—the lion, mentioned by Aulus Gellius, had it in the highest degree; and nothing but luxury and selfishness operating on a bad heart, *could* have produced conduct like that of Dubost's towards his benefactor; which certainly merited the epithets applied to him by the Attorney-General.—The point in question is simply this—either Mr. Dubost partook of Mr. Hope's munificence, and in return basely caricatured him in the disgusting allusion, which Mr. Beresford, as a brother, so meritoriously destroyed, or the whole is a fiction. Now, as the intention of Dubost was proved on the late trial to have been the fixing a stigma on his benefactor, then is the conduct of Dubost deserving every appellation that indignation and contempt can apply to it.—I recommend to the Herald for its *next* French motto, the following passage from a letter of Mr. St. Lambert to J. J. Rousseau, reproving him for a satire against Diderot, whom Rousseau once called his *friend*:—"Il peut avoir des torts avec vous; Je l'ignore; mais Je sais bien que vous n'avey pas le droit de lui faire *une insulte publique*— Je ne puis vous dissimuler, Monsieur, combien cette *atrocité* me *révolte*."—*This*, Mr. Editor, *was* the sentiment of a "*Gentleman*."

PHILOLETRES.

LIMITATIONS TO THE REGENCY NOT CONSONANT TO THE LAW OF THE LAND.

SIR,—I have been looking to-day into my Law Dictionary (Jacob) on a professional point, and happened to open it at the title page *King*, where I read as follows:—

"It was justly said, when the Royal Prerogatives were suspended by indisposition of the King (George III.) in 1788, that the two Houses of Parliament were the organs by which the people expressed their will. And in the House of Commons, on the 16th of December in that year, two declaratory resolutions were accordingly passed, importing, 1. The interruption of the Royal Authority; 2. That it was the duty of the two Houses of Parliament to provide the means of supplying that defect. On the 3d of the same month a third resolution was passed, empowering the Lord Chancellor of *Great Britain* to affix the Great Seal to such *Bill of Limitations* as might be necessary to restrict the power of the future Regent to be named by Parliament: this bill was accordingly brought forward, but happily arrested in its progress by the providential recovery of the King in March, 1789."

Having an hour or so to spare from other avocations, I was tempted to go through the whole article, and make my comments as I proceeded, in order to convince my own mind how far it was accordant with the constitution for the two Houses of Parliament to pass "*such Bill of Limitations*;" and I send you the result.

It is first stated that

"The Executive Power of the *English* nation being vested in a single person, by the general consent of the people, the evidence of which general consent is long and immemorial usage, it became necessary to the freedom and peace of the state, that a rule should be laid down uniform, universal, and permanent, in order to mark out who is that *single* person," &c.—(Comment. 1. 190.)

"Distinctions have been frequently made between a King *de facto* and *de jure*. Though it is to be hoped that no contest of this nature is likely again to rise in these kingdoms."—(Jacob, Tit. King.)

"If there be a King regnant in *possession* of the Crown, although he be but *Rex de facto*, and not *de jure*, yet he is *Seignior le Roy:* and another that hath right, if he be *out of possession*, he is not within the meaning of the statute 11 H. 7. ch. 1."—(Jacob, Tit. King 1.)

A personage, to be *Seignior le Roy* therefore, within the compass and meaning of the statute 11 H. 7. c. 1. for subjects to serve and defend, must be *Rex de facto*; must be in *possession of the Crown*; must be politically executive. It is evident that Geo. the IIId. is not at the present time politically executive. This leads to the further consideration, that the grand fundamental maxim upon which the *jus corronæ*, or right of succession to the throne of these kingdoms, depends, I take to be this, "that the Crown is, by common law and constitutional custom, hereditary; and this in a manner peculiar to itself: but that the right of inheritance may from time to time be changed or *limited* by ACT OF PARLIAMENT; under which limitations the Crown still continues hereditary."—(Black. Com. 1. 191.)

It is to be noted, that the expression of Blackstone is, "*limited by* ACT OF PARLIAMENT," which immediately suggests the question, what is an Act of *Parliament?* My Lord Coke saith, there is no Act of Parliament but must have the consent of the *Lords*, the *Commons*, and the *Royal Assent of the King*, &c. (4th Inst. 25.) And no Act of Parliament can be valid unless made by the joint concurrence of *the whole three Estates*," &c. (2d Inst. 157.)

"The difference between an Act of Parliament and an ordinance in Parliament is, for that the ordinance wanteth the *threefold* consent, and is ordained by *one* or *two* of them." (4th Inst. 25.)

But, as I shall have to speak further on this point in another part, I shall proceed in the article.

First, says Blackstone, it (the Crown) is in general *hereditary* or descendible to the next Heir, on the death or *demise** of the last proprietor. (Comment. 1. 191.)—Surely, no one will pretend to deny that there is not at the present period a *political demise* of the Crown. And my Lord Coke observeth, if the Crown descend to the rightful heire, he is REX *before Coronation:* for by the law of England there is no *interregnum:* and coronation is but an ornament or solemnity of honour (3. Inst. 7.). But as Hale observes, the right of sovereignty is fully invested in the successor by the *very descent* of the Crown.—(1. Hist. P. C. 61.)

It does therefore appear that, there being an hereditary successor to the Crown, that successor is *eo instanti*, on the demise of the Crown, vested with its right. And the Prince of Wales, as the *rightful* heir to the Crown, is by the Constitution both *de facto* and *de jure* intitled to the executive power.

I am now to consider the following observation—

"If the Crown be at any time vacant, (which may happen by other means besides that of abdication; as if all the Blood-royal should fail; without any successor appointed by Parliament,) the right of disposing of this vacancy seems naturally to result to the Houses of Lords and Commons, the Trustees and Representatives of the Nation."—(Jacob. Tit. King. 1.)

This, it is to be noted, does not apply in the case where there *is* an *Heir Apparent* to the Crown, *a rightful Heir*, for the reasons before advanced.—The Constitution hath already provided for the exigency; for by law there can be no *interregnum* in England, (3d Inst. 7.) where there is an hereditary successor, even for a day, an hour, or the fraction of an hour.

This leads me to consider what Blackstone says on hereditary right;—

"The doctrine of *hereditary* right does by no means imply an indefeazible right to the throne. No man will, I think, assert this, that has considered our laws, constitution, and history, without prejudice and with any degree of attention. It is unquestionably in the breast of the *supreme legislative authority* of this kingdom, *the* KING *and both Houses of Parliament*, to defeat this hereditary right, and by particular entails, limitations, and provisions, to exclude the immediate heir, and vest the inheritance in any one else."—(Blackstone's Commentaries, 1. 195.)

Here we see, by Blackstone, what the *supreme legislative power is*—the KING and *both* Houses of Parliament. The Parliament, in its *cumulative sense*, may make "such Bill of Limitations;" but, if it be passed by *one* or *both* Houses of Parliament, without the assent of the *King*,—it is (as my Lord Coke expresses it) "*no act of Parliament*; for the Parliament concerning making or enacting of Lawes consisteth of the *King*, the *Lords Spiritual* and *Temporal*, and the Commons."—(2d Inst. 715.)

My Lord Grenville, in his Speech in the House of Lords the other evening, asserted a most constitutional truth, "That it was an essential principle of the Constitution, that the political capacity of the Crown was always entire; and he could not perceive by what constitutional rule the two Houses of Parliament could do any act whatever, without the concurrence and exercise of that capacity."—And again: "As Peers of Parliament, it was part of their peculiar and most important functions, to interpose whenever such interposition was called for, to preserve the integrity of the kingly office, and to defend the interests of the people."

Blackstone continues:—

"For, let us barely suppose so melancholy a case, as that the *heir apparent* should be a lunatic, an idiot, or otherwise incapable of reigning; how miserable would the condition of the nation be, if he were also incapable of being set aside.—

*A third attribute of the King's Majesty is perpetuity.—The law ascribes to him, in his political capacity, an absolute immortality—the King never dies. There can be no *interregnum*, &c.; and so tender is the law of supposing even a possibility of his death, that his natural dissolution is generally called his *demise: demissia regis, vel coronæ*, an expression which signifies merely a transfer of property;—for, as is observed by Plowden, when we say the *demise* of the crown, we mean only that, in consequence of the disunion of the King's natural body from his body politic, the kingdom is transferred or demised to his successor; and so the royal dignity remains perpetual.

Thus too, when Edward IV. in the 10th year of his reign, was driven from his throne for a few months by the House of Lancaster, this temporary transfer of his dignity was denominated his *demise*; and all process was held to be discontinued, as upon a natural death of the King. (Blac. Com. I. 249.)

It is therefore necessary that this power should be lodged somewhere: and yet the inheritance and regal dignity would be very precarious indeed, if this power were expressly and avowedly lodged in the hands of the subject only, to be exerted whenever prejudice, caprice, or discontent should happen to take the lead. Consequently, it can no where be so properly lodged as in the two Houses of Parliament, *by and with the consent of the reigning King*, who, it is not to be supposed, will agree to any thing improperly prejudicial to the rights of his own descendants. And therefore in the KING, *Lords, and Commons*, in *Parliament assembled*, our laws have expressly lodged it."—(Black. Com. I. 195—6.)

Hence appears to have originated the mistaken opinion, that the two Houses of Parliament could "empower the Lord Chancellor of Great Britain to affix the Great Seal to such Bill of Limitations." Constitutionally, they can do no such thing: for it must be by act of Parliament; by an act of Parliament alone, in its cumulative sense, in its co-estates, the *King*, the *Lords*, and the *Commons*, in *Parliament assembled*, that any "such Bill of Limitations" can be passed. Where there is an heir-apparent to the Crown, *a rightful Heir*, capable of filling the executive part, the Constitution has already appointed the successor, and the heir-apparent cannot be bound by any "such Bill of Limitations," because it is no act of *Parliament*;—and the right to the executive power is vested in the Prince *eo instanti*, on the political *demise* of the Crown.

The two Houses of Parliament may and are called upon, under any political incapacity of the King, to enquire and find the fact, to declare that fact to the nation, and proceed to invest his successor with the executive power. *Parliament* (the *King*, *Lords*, and *Commons*,) may make "a Bill of Limitations" to restrict any *future* Regent; but, the Constitution having pointed out the heir-apparent's right to the succession to the Crown, on any political demise, (as my Lord Coke says), "If the Crown descend to the reightfull heire, he is *rex* before corronation, for by the Law of England there is no *interregnum*, and corronation is but an ornament or solemnity of honour." (3d Inst. 7.)

A complete act of *Parliament*, and nothing but an act of *Parliament* in its fullest sense, can abrogate or restrict that right.—"The two Houses of Parliament *are*, it is true, the organs by which the people express their will," but that will is bounded by constitutional rules; and where there is an heir-apparent, a *rightful heir to the Crown*, of full capacity, the Constitution hath appointed him to the succession, *restrictive of their will*.—I am, your's obediently,

THRASYMAMES.

Thursday, Dec. 21, 1810.

MILITARY FLOGGING.

[FROM THE MORNING CHRONICLE.]

TO THE EDITOR OF THE MORNING CHRONICLE.

SIR,—Your Correspondent, "An Englishman" in this morning's Paper, in speaking of Military Punishments, tells of a poor fellow who nearly lost his life from having received 200 lashes. There is upon record the case of another poor fellow who actually did die in consequence of receiving 250 lashes. The account is to be seen in the 3d volume of the *Edinburgh Medical and Surgical Journal*, published in 1807, by Mr. Burmester, Army Surgeon.

From this account we learn, that the man was stout and healthy, 28 years of age; he was sentenced by a Court Martial to receive 800 lashes; he did receive 250, which torture he bore with manly resolution; and this is spoken of as "a very moderate degree of punishment," though apparently he was able to have borne a more severe punishment, yet his commanding officer, with his accustomed humanity, pardoned the remainder of his sentence.

For two days nothing extraordinary happened: on the third day, however, he complained of lassitude, shiverings and other symptoms of fever: these encreased on the 4th day: "the sensation of pricking had become extremely severe, the punished part was unusually dry and hard, a tense elastic swelling, of a dark copper colour, began to appear round the edges of the sore, which spread with surprising quickness along the whole extent of the back."

On the 9th day marks of mortification appeared, and from this time till he was released by death on the 24th after his punishment took place, his sufferings were sufficient "to harrow up the soul."

The crime for which this poor man was punished is not mentioned, but it is said that others who were more deeply concerned in it, underwent a greater degree of punishment,—"without experiencing any bad consequences whatever."

Facts of this kind, ought, I think, to be known, though, whether it be possible to substitute any other kind of punishment among soldiers in lieu of flogging, is more than such an humble individual as myself can have the means of judging.—I am, &c.

A BRITON.

December 14, 1810.

GENERAL BILL of CHRISTENINGS and BURIALS

FROM DEC. 12, 1809, TO DEC. 11, 1810.

Christened in the 97 Parishes within the walls, 1004.—Buried, 1388.

Christened in the 17 Parishes without the Walls, 4258.—Buried, 4129.

Christened in the 23 Out-parishes in Middlesex and Surrey, 10,503.—Buried, 9535.

Christened in the 10 Parishes in the City and Liberties of Westminster, 4165.—Buried, 4841.

Christened	Males 10,188	Females 9,742	In all, 19,930.
Buried	Males 10,411	Females 9,482	In all, 19,893.

Whereof have died,

Under Two Years of Age,	5,853	Fifty and Sixty -	1,648
Between Two and Five	2,430	Sixty and Seventy -	1,587
Five and Ten - - -	850	Seventy and Eighty	1,262
Ten and Twenty - -	695	Eighty and Ninety	473
Twenty and Thirty -	1,218	Ninety and an Hundred	70
Thirty and Forty - -	1,788	An Hundred and Five	1
Forty and Fifty - -	2,018		

Increased in the Burials this year, 3213.

There have been executed in the City of London and County of Surrey, 10; out of which number six only have been reported to be buried (as such) within the Bills of Mortality.

ACCIDENTS, OFFENCES, &c.

On Saturday night, or early on Sunday morning, St. Paul's Cathedral was robbed of the whole of the church service of plate. The difficulties and ingenuity required to get at the property, prove the villains to have been complete masters of their profession.—The plate carried off consists of a large waiter of singular workmanship, weighing 128 ounces; the back of a large bible and prayer-book (silver), 200 ounces; two silver salvers, nearly 200 ounces; other waiters, and two large candlesticks, 330 ounces; two other candlesticks, 200 ounces; four flaggons, 400 ounces; two chalices, &c. 112 ounces; two smaller ditto, 30 ounces. These articles, or most of them, were used on Friday week at a private ordination by the Bishop of Lincoln; and after they were done with, they were locked up in the plate-room, immediately over the vestry, in iron chests, which had on them padlocks as well as other locks. There were two doors to the room, an inner and an outer one;

the former was entirely iron, the other plated, and of uncommon strength. To these principal doors there are several passages leading, all of which have doors always locked, through which persons must pass before they reach the plate-rooms, and it is only known to a few persons to what apartments they lead. All these doors remained locked, and it was not until the plate was wanting for the church service, that the robbery was discovered. The person who had the plate in his care, opened the passage doors with the keys belonging to them, as usual, but the lock of the main door he could not open until he had procured the master-key. He there found the chests containing the plate had been broke open with an iron crow, or some such instrument, after having opened the padlocks in the usual way. Notice was immediately given at Bow-street, and the other offices. It would seem as if some persons intimately acquainted with the Cathedral, and who even had access to the keys or locks of the different rooms, were implicated in the robbery; the doors of all the rooms which must have been entered, to the number of nine, remained locked, and in a state of perfect apparent security, and the only visible appearance of force or violence of any kind, being on the outside iron gate leading to the vestry, which appeared to have been forced, and was left open. The very desk out of which part of the property was taken, was found locked. The robbers even regaled themselves with the sacramental wine!!—The weight of the plate carried off is 1765 ounces. The greater part of it was gilt; and the workmanship was so exquisite, that it is greatly under-rated in stating the value at 2000*l.*

A gentleman of the name of Cameron was robbed of 23*l.* 10*s.* a few evenings ago, between Somers Town and Tavistock-square, by two men; the one held a pistol to his breast, while the other picked his pockets, and swore if he made any noise he was a dead man. They went off towards the new buildings on the left.

Thursday morning, Mr. Steevens, one of the Queen's footmen, had the misfortune to slip down in Windsor Castle, and break his thigh. And on Friday night, Mr. Mills, one of his Majesty's Messengers, in passing along St. James's-street, slipped down and broke his leg.

A fire broke out on Thursday night at the Vernon Head Public House, corner of Green-street and North Audley-street, occasioned by the neglect of a female lodger in the second floor, who was so dreadfully burnt, that she died shortly after in the hospital.

On Friday a man was brought from his residence in Earl-street, Seven Dials, to Bow-street, charged on suspicion of the wilful murder of his wife.—He had been out on Wednesday, Christmas-boxing, and on his return in the evening, his wife was from home. He went out in search of her, and found her at a gin-shop; in consequence of which, he made use of very violent language and threats to her, among others, that he would murder her, &c.; when they got home he knocked her down, beat and kicked her in a most cruel manner, and she died in a short time afterwards. The prisoner was committed for further examination.

BIRTHS.

Last week, the wife of a shoemaker, named Watts, of Cambridge, of three children, two boys and a girl. The same woman had three children at a birth about eight years ago.

MARRIAGES.

On the 21st inst. at Mary-le-bone Church, Mr. Wm. Henry Klyne, to Miss Harriet Haynes.

On Saturday, the 22d December, at Brighton, by the Rev. Mr. Carr, Mr. James Lawson, of London, to Miss Lucy Ann Spencer, of the former place.

DEATHS.

On Saturday se'nnight, at his house, at Lisson-green, Paddington, in the 88th year of his age, Wm. Baillie, Esq. many years one of the Commissioners of his Majesty's Stamp Duties.

On the 9th inst. in his 89th year, G. Prettyman, Esq. of Bury, and father of the present Lord Bishop of Lincoln.

At Willoughby, Warwickshire, T. Sargeant, labourer, in his 103d year. He lived in four reigns.

Lately, at Paris, M. Treilhard, who made a conspicuous figure during the French Revolution, and was one of the negociators at Lisle with Lord Malmesbury, in the 59th year of his age. He had become one of Bonaparte's satelites.

On Sunday, his Grace the Duke of Queensberry, at his house in Piccadilly.—The disorder which was the immediate cause of his death, was a strangury. His Grace was attended by the most able surgeons. Several severe operations were performed, but the vital spark could not be preserved. The Duke yielded to a general decay at the age of 85 years.—His Grace dying without issue, the title of Duke of Queensberry is extinct; but his other titles descend, and his immense estates are divided. He is supposed to have died worth nearly two millions in ready money.—The Earldom of Queensberry descends to Sir Charles Douglas, of Kilhead, who married one of the daughters of the of Duke Buccleugh, with estates amounting to about 12,000*l.* a year.—The Duke of Buccleugh succeeds to the estates of Drumlanrig, and it is supposed to the title of Earl of Drumlanrig.—Lord Douglas succeeds to estates of less consideration, amounting, however, to between 6 and 7,000*l.* a-year. The great bulk of the late Duke's personal estate goes to the Earl of Yarmouth.—He loved the amusements of the turf, and rode several matches himself, but he chiefly distinguised himself at Newmarket by running a machine of his own contrivance on the course against time, for a considerable sum, which he won. He was also very fond of music.—The gallantries of the Duke have been long a subject of raillery, and it is probable that much more has been said on that subject than was founded in truth.—It is said that he was a very good-natured man in private life, and that his purse was always ready at the call of misfortune and unfriended talents.—His Grace was never married, though a long courtship took place between him and Lady Harriet Stanhope, sister of the present Earl of Harrington.—He had been a handsome, well-proportioned man, of the middle size. It was generally reported, but without truth, that he wore a glass eye. He had only a slight blemish in one of his eyes, which was hardly perceptible. The following is a list of his titles:—James Douglas, Duke of Queensberry, Marquis of Queensberry and Dumfries, Earl of Queensberry, March, Ruthergien, Drumlanrig, Sanquhar, and Solway, Viscount Drumlanrig, Nith, Torthorald, Tibbers, and Ross, Baron Douglas, of Hawick, Nidpath, Lym, Mandrhead, Kelmount, Middleby, Tibbers, and Dornick; and August 8, 1786, was created a British Peer, by the title of Baron Douglas, and Knight of the Thistle; born 1725.—Many discordant accounts have appeared respecting the disposition of the extensive property of this Nobleman. The following, it is said, stand among the principal bequests, but the statement is by no means clear:—1. Lord Douglas, 100,000*l.* 2. Earl of Yarmouth, 150,000*l.* The two houses in Pall-Mall, and the villa at Richmond, with all their furniture. His Lordship is also named residuary legatee, by which it is supposed that he will eventually derive a further sum of 200,000*l.* 3. Duchess of Somerset, 10,000*l.* independent of the Duke. 4. Countess of Dunmore, 10,000*l.* 5. Lady Ann Hamilton, 10,000*l.* 6. Lady Hamilton, 500*l.* per ann. and 1000*l.*—by a former codicil it stood 1000*l.* per ann. and 2000*l.* 7. Gen. Charles Crawford, 10,000*l.* 8. Gen. R. W. Crawford, 500*l.* per ann. 9. Mr. James, 5000*l.* 10. Monsieur Peve Elezee (the French Surgeon) 5000*l.* 11. Hon. Gen. Rich. Fitzpatrick, 500*l.* per ann. for life; in a former codicil it stood 1000*l.* 12. Governors of the Lock Hospital, 5000*l.* 13. Governors of St. George's ditto, 15,000*l.* 14. Governors of Middlesex ditto, 10,000*l.* 15. The Cheque Clerk at Mr. Coutts's Bank, who kept his Grace's account, 600*l.* per ann.—The Duke has also made the most liberal provision for most of his domestics. Besides his extensive landed estates, he has died worth a million sterling of other disposable property.

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